

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

SHAWN RICHARD COUDRIET,	)	
	)	
Plaintiff,	)	
	)	Civil Action No. 11-185 Erie
v.	)	
	)	
ANTHONY VARDARO, et al.,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

This civil rights action was received by the Clerk of Court on September 1, 2011 and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [ECF No. 170], filed on February 25, 2013, recommended that the Motion to Dismiss and Renewed Motion to Dismiss filed by Defendant Rictor [ECF No. 60] and [ECF No. 153] be granted. The parties were allowed fourteen (14) days from the date of service to file objections and Plaintiff filed objections on March 11, 2013 [ECF No. 175]. Plaintiff also filed a letter on March 8, 2013 [ECF No. 172], which the Court has construed as objections. After de novo review of the documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 10<sup>th</sup> day of April, 2013;

IT IS HEREBY ORDERED that the Motions to Dismiss filed by Defendant Rictor [ECF No. 60] and [ECF No. 153] are GRANTED.

The Report and Recommendation of Magistrate Judge Baxter, filed on February 25, 2013 [ECF No. 170] is adopted as the opinion of the Court.

The Clerk of Courts is directed to terminate this Defendant from the docket.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge